

Message Text

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ACTION NODS-00

INFO OCT-01 ISO-00 /001 W

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Z O 262335Z AUG 75 ZFF-6

FM USDEL JERUSALEM

TO USDEL ALEXANDRIA FLASH

INFO SECSTATE WASHDC IMMEDIATE 7333

S E C R E T SECTION 1 OF 2 JERUSALEM 1388

NODIS/CHEROKEE

FOR SECRETARY FROM LEIGH AND ATHERTON

E.O. 11652: GDS

TAGS: PFOR, EG, US, IS

SUBJ: REVISED TRILATERAL

REF: SECTO 10127

FOLLOWING IS TEXT OF REVISED TRILATERAL REQUESTED IN REFTEL:

AGREEMENT ON MONITORING

THE GOVERNMENT OF THE ARAB REPUBLIC OF EGYPT, THE
GOVERNMENT OF ISRAEL, AND THE GOVERNMENT OF THE UNITED
STATES OF AMERICA;

NOTING THE CONCLUSION ON THIS DATE OF AN AGREEMENT
BETWEEN THE GOVERNMENT OF THE ARAB REPUBLIC OF EGYPT
AND THE GOVERNMENT OF ISRAEL, AND

DESIRING TO FACILITATE THE IMPLEMENTATION OF THAT
AGREEMENT,

HAVE AGREED AS FOLLOWS:

ARTICLE 1

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THE PARTIES CONSIDER THAT A UNITED STATES CUSTODIAL

ROLE IN CONNECTION WITH THE OPERATION AND MAINTENANCE OF AN EARLY WARNING SYSTEM IN THE AREA OF THE MITLA AND GIDDI PASSES WILL FACILITATE THE ACHIEVEMENT OF THE OBJECTIVES OF THE AGREEMENT CONCLUDED ON THIS DATE BETWEEN EGYPT AND ISRAEL AND WILL CONSTITUTE AN IMPORTANT CONTRIBUTION TO THE ESTABLISHMENT OF CONDITIONS CONDUCTIVE TO PROGRESS TOWARD A FINAL PEACE AGREEMENT.

ARTICLE 2

THE EARLY WARNING SYSTEM REFERRED TO IN ARTICLE 1 SHALL CONSIST OF SURVEILLANCE AND WATCH STATIONS AS SPECIFIED IN THE ANNEX. ALL STATIONS SHALL OPERATE UNDER THE AEGIS OF THE UNITED STATES. THE LOCATIONS AND OTHER DETAILS OF THE STATIONS ARE DESCRIBED IN THE ANNEX.

ARTICLE 3

THE UNITED STATES SHALL PROVIDE CIVILIAN PERSONNEL OF THE UNITED STATES NATIONALITY TO CARRY OUT AT EACH OF THE STATIONS THE TECHNICAL FUNCTIONS SPECIFIED IN THE ANNEX. SUCH UNITED STATES CIVILIAN PERSONNEL SHALL HAVE FREEDOM OF MOVEMENT TO AND FROM THE STATIONS WHICH MAKE UP THE EARLY WARNING SYSTEM AND SHALL BE IMMUNE FROM THE CRIMINAL AND CIVIL JURISDICTION AS WELL AS FROM THE CUSTOMS AND TAX JURISDICTION OF ANY OTHER PARTY.

THE GOVERNMENT OF THE ARAB REPUBLIC OF EGYPT AND THE GOVERNMENT OF ISRAEL WAIVE ANY AND ALL CLAIMS AGAINST THE GOVERNMENT OF THE UNITED STATES, AND AGREE TO INDEMNIFY AND HOLD HARMLESS THE GOVERNMENT OF THE UNITED STATES AGAINST ANY AND ALL CLAIMS BY OTHERS, WHETHER GOVERNMENTS OR PRIVATE PARTIES, ARISING OUT OF ANY ACTS OR OMISSIONS OF THE UNITED STATES CIVILIAN PERSONNEL IN THE CONDUCT OF ACTIVITIES UNDER THIS AGREEMENT.

ARTICLE 4

NO ARMS SHALL BE MAINTAINED AT THE STATIONS COVERED
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BY THIS AGREEMENT, EXCEPT FOR SUCH ARMS AS ARE REQUIRED BY THE PERSONNEL FOR INTERNAL SECURITY AND SELF-DEFENSE.

ARTICLE 5

THE GOVERNMENT OF THE UNITED STATES SHALL MAKE REPORTS AS APPROPRIATE TO THE SECRETARY GENERAL OF THE UNITED NATIONS WITH RESPECT TO THE ACTIVITIES UNDER THIS

AGREEMENT OF UNITED STATES CIVILIAN PERSONNEL.

ARTICLE 6

THIS AGREEMENT SHALL ENTER INTO FORCE UPON EXCHANGE OF WRITTEN NOTICES OF ACCEPTANCE BY EACH PARTY AND SHALL REMAIN IN FORCE FOR THE DURATION OF THE AGREEMENT CONCLUDED ON THIS DATE BETWEEN EGYPT AND ISRAEL AND PROVIDED IN ARTICLE IX THEREOF.

ARTICLE 7

IF EGYPT AND ISRAEL BOTH REQUEST WITHDRAWAL OF UNITED STATES PERSONNEL FROM THEIR ROLE IN THE EARLY WARNING SYSTEM, THE UNITED STATES SHALL IMMEDIATELY WITHDRAW THEM.

ARTICLE 8

NOTWITHSTANDING ANY OTHER PROVISION OF THIS AGREEMENT, THE UNITED STATES MAY WITHDRAW ITS PERSONNEL IF IT CONCLUDES THAT THEIR SAFETY IS JEOPARDIZED OR THAT CONTINUATION OF THEIR ROLE IS NO LONGER IN THE NATIONAL INTEREST OF THE UNITED STATES.

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TO USDEL SECRETARY IN ALEXANDRIA FLASH

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S E C R E T SECTION 2 OF 2 JERUSALEM 1388

NODIS/CHEROKEE

FOR SECRETARY FROM LEIGH AND ATHERTON

DONE AT ON , 1975 IN THREE

COPIES, EACH OF WHICH SHALL BE DEEMED EQUALLY AUTHENTIC.

GOVERNMENT OF ARAB REPUBLIC GOVERNMENT OF ISRAEL
OF EGYPT

GOVERNMENT OF THE UNITED STATES

ANNEX

1. THE EARLY WARNING SYSTEM REFERRED TO IN ARTICLES 1
AND 2 SHALL CONSIST OF THE FOLLOWING:

A (1) THE EXISTING SURVEILLANCE STATION OPER-
ATED BY ISRAEL AT COORDINATES AND A NEW
SURVEILLANCE STATION TO BE CONSTRUCTED AND OPERATED BY
EGYPT AT COORDINATES , AS SHOWN ON THE ANNEXED
MAP, SHALL PERFORM THE FUNCTIONS OF VISUAL AND ELECTRONIC
SURVEILLANCE CONTEMPLATED UNDER THE TERMS OF AND CONDITIONS
OF THE AGREEMENT CONCLUDED ON THIS DATE BETWEEN EGHPT AND
ISRAEL.

A (2) THE MAXIMUM NUMBER OF EGYPTIAN PERSONNEL
PRESENT AT ANY ONE TIME AT THE STATION OPERATED BY EGYPT,
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AND THE MAXIMUM NUMBER OF ISRAELI PERSONNEL PRESENT AT
ANY ONE TIME AT THE STATION OPERATED BY ISRAEL, SHALL BE
IN EACH CASE.

A (3) THE SURVEILLANCE FUNCTION DESCRIBED IN
SUB-PARAGRAPH A (1), ABOVE WILL BE PERFORMED UNDER THE AEGIS
OF THE UNITED STATES ACTING AS CUSTODIAN OF EACH SURVEILLANCE
STATION. A SUFFICIENT NUMBER OF UNITED STATES CIVILIAN PERSONNEL
SHALL BE ASSIGNED TO EACH STATION TO PERFORM THE FOLLOWING
TECHNICAL RESPONSIBILITIES:

(A) MONITOR OPERATIONS WITHIN EACH STATION
AND IMMEDIATELY REPORT ANY DETECTED DIVERGENCY FROM
THE FUNCTIONS DESCRIBED IN SUB-PARAGRAPH A (1)
AND A (2) OF THIS PARAGRAPH, TO THE OTHER PARTIES, TO THE
UNEF, AND TO THE JOINT COMMISSION, AS APPROPRIATE:

(B) MONITOR ALL MOVEMENT INTO, OUT OF, AND WITHIN
EACH STATION AND REPORT THE SAME PERIODICALLY TO THE OTHER
PARTIES, TO THE UNEF, AND TO THE JOINT COMMISSION, AS
APPROPRIATE.

(C) CONDUCT INSPECTIONS OF VEHICLES, AIRCRAFT
OR PERSONNEL OF THE OTHER PARTIES UPON ENTRY INTO OR
DEPARTURE FROM EACH STATION OR WITHIN EACH STATION.

B (1) THERE SHALL BE ESTABLISHED, MAINTAINED
AND OPERATED UNDER THE EXCLUSIVE CONTROL OF THE UNITED
STATES A WATCH STATION IN EACH OF THE MITLA AND GIDDI PASSES
AT THE POINTS SHOWN ON THE ANNEXED MAP. THERE SHALL ALSO

BE ESTABLISHED, MAINTAINED AND OPERATED UNMANNED ELECTRONIC SENSORS AT BOTH ENDS OF EACH PASS AND IN THE GENERAL VICINITY OF EACH STATION.

B (2) THE UNITED STATES TECHNICAL PERSONNEL OPERATING THE WATCH STATION AND THE SENSORS SHALL;

(A) IMMEDIATELY REPORT TO THE OTHER PARTIES, TO THE JOINT COMMISSION, AND TO UNEF, AS APPROPRIATE, ANY MOVEMENT OF ARMED FORCES, OTHER THAN THE UNEF, INTO OR OVER EITHER PASS AND ANY OBSERVED PREPARATIONS FOR SUCH MOVEMENT;

(B) REPORT PERIODICALLY TO THE OTHER PARTIES, TO THE UNEF AND TO THE JOINT COMMISSION, AS APPROPRIATE, ANY OTHER OBSERVATIONS PERTINENT TO THE USE OF EITHER PASS.

2. THE UNITED STATES SHALL BE PERMITTED TO USE OR ESTABLISH SUCH SUPPORT AND COMMUNICATIONS FACILITIES AS MAY BE
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NECESSARY FOR THE CUSTODIAL AND MONITORING FUNCTIONS TO BE CARRIED OUT BY UNITED STATES CIVILIAN PERSONNEL.

3. THE OTHER PARTIS SHALL ENSURE FREEE LANDING RIGHTS AND UNIMPEDED PASSAGE THROUGH AND OVER TERRITORIES UNDER THEIR JURISDICTION OR CONTROL FOR THE UNITED STATES PERSONNEL, EQUIPMENT AND SUPPLIES.
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